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CRL MP No. 22488 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22488 of 2025

IN

CRL RC NO. 2540 OF 2025

G.Krishnamoorthi
S/o.Govindan, No.3/1, Parvathypuram,
Gudiyatham, R.S., Vellore District.

Petitioner(s)

Vs

State Represented by
The Inspector of Police, Bagayam
Police Station, Vellore District. Crime
No.439 of 2015

Respondent(s)

PRAYER

To pass an interim order of suspension of the sentence dated 20.07.2023 passed as against the petitioner by the learned Judicial Magistrate No.I, Vellore, in C.C.No.41 of 2016, confirmed in C.A.No.117 of 2023 on the file of Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Vellore dated 10.10.2025 and enlarge the petitioner/Petitioner on bail, pending disposal of the above revision.



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For Petitioner(s): Mr. S.Anil Sandeep

For Respondent: Dr.C.E.Pratap,
Govt. Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Vellore, in Crl.A.No.117 of 2023 dated 10.10.2025 confirming the judgment passed by Judicial Magistrate No.I, Vellore in C.C.No. 41 of 2016, dated 20.07.2023, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case.

2. The petitioner herein is the accused in C.C.No.41 of 2016 on the file of the learned Judicial Magistrate No.I, Vellore. He was found guilty of the offences under Section 279, 337, 338 and 304(A) of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 279 of I.P.C.	to undergo rigorous imprisonment for a period of one month and to pay fine of Rs.1,000/-, in



S.No.	Conviction	Sentence
		default to undergo rigorous imprisonment for one month.
2	Section 337 of IPC	to undergo rigorous imprisonment for a period of 1 month and to pay fine of Rs.500/-, in default to undergo simple imprisonment for one year.
3	Sec.338 of I.P.C.	To undergo simple imprisonment for one year and to pay a fine of Rs.1000/-, in default to undergo rigorous imprisonment for one month
4	Sec.304(A) of IPC	To pay a fine of Rs.10,000/- in default, to undergo rigorous imprisonment for three months

Aggrieved by the same, the petitioner had filed this Criminal Revision Case and consequently, he filed the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that he is employed as driver in TNSTC and he has been falsely implicated in this case as if he drove the vehicle in a rash and negligent manner and hit against a two wheeler, resulting in rider and pillion sustained injuries and a pedestrian allegedly succumbed to injuries on the spot. He would further submit that now he was terminated from service and he is aged about 62 years and also there are arguable points available in the Criminal Revision case and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision case and hence, the substantive sentence imposed against the



petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

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4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that due to negligent driving of a bus, pedestrian succumbed to injuries and died on the spot and the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. On seeing the facts, it reveals that the alleged occurrence took place in the year 2015 and as on date, the petitioner was terminated from service and he is aged about 62 years. Considering that and considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police, further this Criminal Revision case is not likely to be taken for final hearing in the near future, this Court is of the view that the



substantive sentence of imprisonment alone can be suspended on certain conditions.

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7. Accordingly, till the disposal of the Criminal Revision case, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, **in which one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned Sessions Judge, Magalir Neethimandram, (Fast Track Mahila Court), Vellore.**

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) **The petitioner shall appear before the Trial Court as and when required, until the disposal of the Criminal Revision case** and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any



other day in lieu of the date of his absence, as directed by the trial Court.

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8. With the above directions, this Criminal Miscellaneous Petition is ordered.

27-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Sessions Judge, Magalir Neethimandram (Fast Track Court), Vellore.

2. Judicial Magistrate No.1, Vellore.

3. The Inspector of Police, Bagayam Police Station, Vellore Dt.

4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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